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CLERK OF DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

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7 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11 MERIDIAN TEXTILES, INC., a  
12 California Corporation,

13 Plaintiff,

14 v.  
15

16 WAL-MART STORES, INC., a Delaware  
Corporation; FASHION AVENUE  
17 KNITS, INC., a New York Corporation;  
18 and Does 1-10, Inclusive

19 Defendants.  
20

CV 12-8005 GW (SHX)

PLAINTIFF'S COMPLAINT FOR:

1. COPYRIGHT INFRINGEMENT;
2. VICARIOUS AND/OR CONTRIBUTORY COPYRIGHT INFRINGEMENT

Jury Trial Demanded

21 Plaintiff MERIDIAN TEXTILES, INC. (hereinafter "MERIDIAN" or  
22 "Plaintiff"), by and through its undersigned attorneys, hereby prays to this honorable  
23 Court for relief based on the following:

24 **INTRODUCTION**

25 Plaintiff creates and obtains rights to unique two-dimensional graphic artworks  
26 for use on textiles, which textiles are transacted primarily in the fashion industry.  
27 Plaintiff owns these designs in exclusivity and makes sales of products bearing these  
28

1 designs for profit. Plaintiff's business is predicated on its ownership of these designs  
2 and it spends a considerable amount of time and resources creating and obtaining top-  
3 quality, marketable and aesthetically-appealing designs. Customers of Plaintiff,  
4 including possibly DOE defendants named herein, take design samples with the  
5 understanding and agreement that they will only utilize Plaintiff to reproduce said  
6 designs should they wish to do so, and will not seek to make minor changes to  
7 Plaintiff's proprietary work to reproduce the same elsewhere, yet use those designs in  
8 furtherance of their business in violation of both their contractual agreement with  
9 Plaintiff and Plaintiff copyrights.

#### 10 11 JURISDICTION AND VENUE

12 1. This action arises under the Copyright Act of 1976, Title 17 U.S.C., § 101  
13 *et seq.*

14 2. This Court has federal question jurisdiction under 28 U.S.C. § 1331 and  
15 1338 (a) and (b).

16 3. Venue in this judicial district is proper under 28 U.S.C. § 1391(c) and  
17 1400(a) in that this is the judicial district in which a substantial part of the acts and  
18 omissions giving rise to the claims occurred.

#### 19 20 PARTIES

21 4. Plaintiff MERIDIAN TEXTILES, INC. is a corporation organized and  
22 existing under the laws of the State of California with its principal place of business  
23 located at

24 5. Plaintiff is informed and believes and thereon alleges that Defendant WAL-  
25 MART STORES, INC. ("WAL-MART") is a corporation organized and existing  
26 under the laws of the State of Delaware, with its principal place of business at 818  
27 West Seventh Street, Los Angeles, California, 90017.

1           6. Plaintiff is informed and believes and thereon alleges that Defendant  
2 FASHION AVENUE KNITS, INC. ("FASHION AVENUE") is a corporation  
3 organized and existing under the laws of the State of New York with its principal  
4 place of business at 225 West 37<sup>th</sup> Street, 8<sup>th</sup> Floor, New York, New York, 10018  
5 and doing business in and with California.

6           7. Plaintiff is informed and believes and thereon alleges that some of  
7 Defendants DOES 1 through 5, inclusive, are manufacturers and/or vendors of  
8 garments to Defendant, which DOE Defendants have manufactured and/or supplied  
9 and are manufacturing and/or supplying fabrics and other product printed with  
10 Plaintiff's copyrighted designs (as hereinafter defined) without Plaintiff's knowledge  
11 or consent or have contributed to said infringement. The true names, whether  
12 corporate, individual or otherwise of Defendants DOES 1-5, inclusive, are presently  
13 unknown to Plaintiff, which therefore sues said Defendants by such fictitious names  
14 and will seek leave to amend this complaint to show their true names and capacities  
15 when same have been ascertained.

16           8. Defendants DOES 6 through 10, inclusive, are other parties not yet  
17 identified who have infringed Plaintiff's copyrights, have contributed to the  
18 infringement of Plaintiff's copyrights, or have engaged in one or more of the  
19 wrongful practices alleged herein. The true names, whether corporate, individual or  
20 otherwise, of Defendants 6 through 10, inclusive, are presently unknown to Plaintiff,  
21 which therefore sues said Defendants by such fictitious names, and will seek leave to  
22 amend this Complaint to show their true names and capacities when same have been  
23 ascertained.

24           9. Plaintiff is informed and believes and thereon alleges that at all times  
25 relevant hereto each of the Defendants was the agent, affiliate, officer, director,  
26 manager, principal, alter-ego, and/or employee of the remaining Defendants and was  
27 at all times acting within the scope of such agency, affiliation, alter-ego relationship

1 and/or employment; and actively participated in or subsequently ratified and  
2 adopted, or both, each and all of the acts or conduct alleged, with full knowledge of  
3 all the facts and circumstances, including, but not limited to, full knowledge of each  
4 and every violation of Plaintiff's rights and the damages to Plaintiff proximately  
5 caused thereby.

6 **CLAIMS RELATED TO DESIGN L2038**

7 10. Prior to the conduct complained of herein, Plaintiff composed an original  
8 two-dimensional artwork for purposes of textile printing. It allocated this design  
9 Plaintiff's Internal Design Number L2038 ("Subject Design A"). This artwork was a  
10 creation of Plaintiff's design team, and is, and at all relevant times was, owned in  
11 exclusively by Plaintiff. At all relevant times Plaintiff held a valid copyright in the  
12 Subject Design A.

13 11. Plaintiff applied for and received a United States Copyright Registration  
14 for the Subject Design A.

15 12. Prior to the acts complained of herein, Plaintiff sampled and sold fabric  
16 bearing Subject Design A to numerous parties in the fashion and apparel industries.

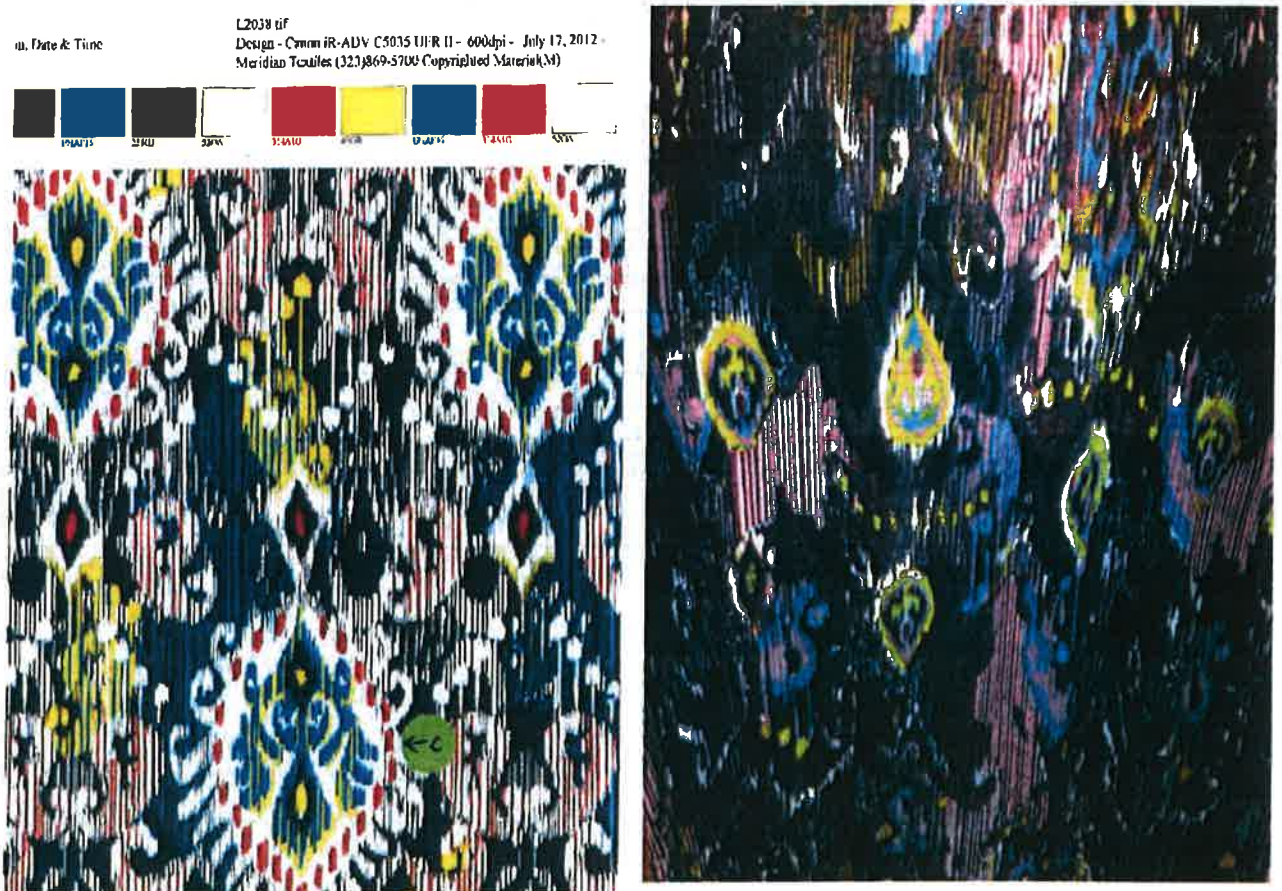
17 13. Following this distribution of product bearing Subject Design A, Plaintiff's  
18 investigation revealed that certain entities within the fashion and apparel industries  
19 had misappropriated Subject Design A, and were selling fabric and garments bearing  
20 illegal reproductions and derivations of Subject Design A.

21 14. Specifically, Plaintiff's investigation into the unlawful use of its  
22 proprietary designs revealed that garments with a fabric design identical or  
23 substantially similar to the Subject Design A were being sold by WAL-MART and  
24 created, manufactured, caused to be manufactured, imported, and/or distributed by  
25 FASHION AVENUE. These garments were sold under ITEM NO. 78905031493,  
26 RN NO. 73352, and STYLE NO. 11863.



1 15. A comparison of Subject Design A (left) and Accused Product A (right) are  
 2 set forth below; it is apparent that the elements, composition, colors, arrangement,  
 3 layout, and appearance of the designs are virtually identical.

4 16. Plaintiff issued cease and desist letters to Defendants and is informed and  
 5 believes and thereon alleges that, in spite of their receipt of the aforementioned cease  
 6 and desist demand letters, Defendants continued to sell infringing garments in  
 7 violation of Plaintiff's rights as the copyright proprietor and owner of the Subject  
 8 Design A.



**CLAIMS RELATED TO DESIGN L2468**

17.. Prior to the conduct complained of herein, Plaintiff composed an original two-dimensional artwork for purposes of textile printing. It allocated this design Plaintiff's Internal Design Number L2468 ("Subject Design B"). This artwork was a creation of Plaintiff's design team, and is, and at all relevant times was, owned in exclusively by Plaintiff. At all relevant times Plaintiff held a valid copyright in the Subject Design B.

18. Plaintiff applied for and received a United States Copyright Registration for the Subject Design B.

19. Prior to the acts complained of herein, Plaintiff sampled and sold fabric bearing Subject Design B to numerous parties in the fashion and apparel industries.

20. Following this distribution of product bearing Subject Design B, Plaintiff's investigation revealed that certain entities within the fashion and apparel industries had misappropriated Subject Design B, and were selling fabric and garments bearing illegal reproductions and derivations of Subject Design B.

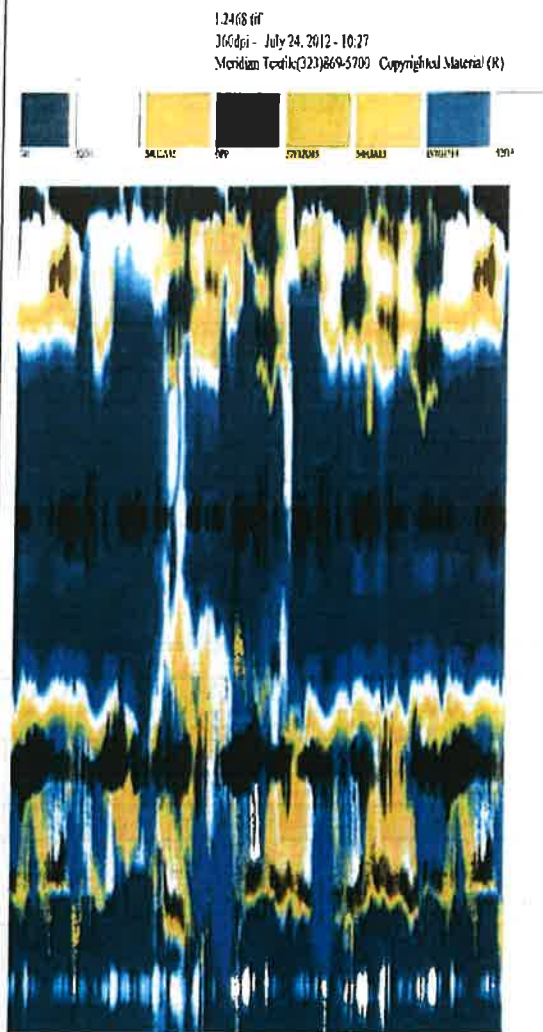
21. Specifically, Plaintiff's investigation into the unlawful use of its proprietary designs revealed that garments with a fabric design identical or substantially similar to the Subject Design B were being sold by WAL-MART and created, manufactured, caused to be manufactured, imported, and/or distributed by FASHION AVENUE. These garments were sold under ITEM NO. 078905031485, RN NO. 73352, and STYLE NO. 11863.

22. A comparison of Subject Design B (left) and Accused Product B (right) are set forth below; it is apparent that the elements, composition, colors, arrangement, layout, and appearance of the designs are virtually identical.

23. Plaintiff issued cease and desist letters to Defendants and is informed and believes and thereon alleges that, in spite of their receipt of the aforementioned cease and desist demand letters, Defendants continued to sell infringing garments in



1 violation of Plaintiff's rights as the copyright proprietor and owner of the Subject  
2 Design B.



21 **CLAIMS RELATED TO DESIGN J1455**

22 24. Prior to the conduct complained of herein, Plaintiff composed an original  
23 two-dimensional artwork for purposes of textile printing. It allocated this design  
24 Plaintiff's Internal Design Number J1455 ("Subject Design C"). This artwork was a  
25 creation of Plaintiff's design team, and is, and at all relevant times was, owned in  
26

1 exclusively by Plaintiff. At all relevant times Plaintiff held a valid copyright in the  
2 Subject Design C.

3 25. Plaintiff applied for and received a United States Copyright Registration  
4 for the Subject Design C.

5 26. Prior to the acts complained of herein, Plaintiff sampled and sold fabric  
6 bearing Subject Design C to numerous parties in the fashion and apparel industries.

7 27. Following this distribution of product bearing Subject Design C, Plaintiff's  
8 investigation revealed that certain entities within the fashion and apparel industries  
9 had misappropriated Subject Design C, and were selling fabric and garments bearing  
10 illegal reproductions and derivations of Subject Design C.

11 28. Specifically, Plaintiff's investigation into the unlawful use of its  
12 proprietary designs revealed that garments with a fabric design identical or  
13 substantially similar to the Subject Design C were being sold by WAL-MART and  
14 created, manufactured, caused to be manufactured, imported, and/or distributed by  
15 FASHION AVENUE. These garments were sold under ITEM NO. 078905031268K,  
16 RN NO. 73352, and STYLE NO. 11891.

17 29. A comparison of Subject Design C (left) and Accused Product C (right) are  
18 set forth below; it is apparent that the elements, composition, colors, arrangement,  
19 layout, and appearance of the designs are virtually identical.

20 30. Plaintiff issued cease and desist letters to Defendants and is informed and  
21 believes and thereon alleges that, in spite of their receipt of the aforementioned cease  
22 and desist demand letters, Defendants continued to sell infringing garments in  
23 violation of Plaintiff's rights as the copyright proprietor and owner of the Subject  
24 Design C.



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Resolution, Date & Time:  
J1555.TIF  
Design - Canon iC-ADV C5035 UFR II - 600dpi - July 23, 2  
Meridian Textiles (323)869-5700 Copyrighted Material (M)



### **FIRST CLAIM FOR RELIEF**

(For Copyright Infringement - Against All Defendants)

31. Plaintiff repeats, re-alleges and incorporates herein by reference as though fully set forth the allegations contained in the preceding paragraphs of this Complaint.

32. Plaintiff is informed and believes and thereon alleges that Defendants, and each of them, had access to the Subject Design A (hereinafter "Subject Design") including, without limitation, through (a) access to Plaintiff's showroom and/or design library; (b) access to illegally distributed copies of the Subject Designs by

1 third-party vendors and/or DOE Defendants, including without limitation  
2 international and/or overseas converters and printing mills; (c) access to Plaintiff's  
3 strike-offs and samples, and (d) access to garments being sold in the marketplace  
4 bearing fabric lawfully printed through Plaintiff.

5 33.Plaintiff is informed and believes and thereon alleges that one or more of  
6 the Defendants manufactures garments and/or is a garment vendor. Plaintiff is  
7 further informed and believes and thereon alleges that said Defendant(s) has an  
8 ongoing business relationship with Defendant retailer, and each of them, and  
9 supplied garments to said retailer, which garments infringed the Subject Design in  
10 that said garments were composed of fabric which featured an unauthorized print  
11 design that was identical or substantially similar to the Subject Design.

12 34.Plaintiff is informed and believes and thereon alleges that Defendants, and  
13 each of them, infringed Plaintiff's copyright by creating, making and/or developing  
14 directly infringing and/or derivative works from the Subject Design and by  
15 producing, distributing and/or selling garments which infringe the Subject Design  
16 through a nationwide network of retail stores and on-line outlets.

17 35.Due to Defendants' acts of infringement, Plaintiff has suffered substantial  
18 damages to its business in an amount to be established at trial.

19 36.Due to Defendants' acts of infringement, Plaintiff has suffered general and  
20 special damages in an amount to be established at trial.

21 37.Due to Defendants' acts of copyright infringement as alleged herein,  
22 Defendants, and each of them, have obtained direct and indirect profits they would  
23 not otherwise have realized but for their infringement of the Subject Design. As  
24 such, Plaintiff is entitled to disgorgement of Defendant's profits directly and  
25 indirectly attributable to Defendant's infringement of the Subject Design in an  
26 amount to be established at trial.

**SECOND CLAIM FOR RELIEF**

(For Vicarious and/or Contributory Copyright Infringement - Against All Defendants)

38.Plaintiff repeats, realleges and incorporates herein by reference as though fully set forth the allegations contained in the preceding paragraphs of this Complaint.

39.Plaintiff is informed and believes and thereon alleges that Defendants knowingly induced, participated in, aided and abetted in and profited from the illegal reproduction and/or subsequent sales of product featuring the Subject Designs as alleged hereinabove.

40.Plaintiff is informed and believes and thereon alleges that Defendants, and each of them, are vicariously liable for the infringement alleged herein because they had the right and ability to supervise the infringing conduct and because they had a direct financial interest in the infringing conduct.

41.By reason of the Defendants', and each of their, acts of contributory and vicarious infringement as alleged above, Plaintiff has suffered and will continue to suffer substantial damages to its business in an amount to be established at trial, as well as additional general and special damages in an amount to be established at trial.

42.Due to Defendants' acts of copyright infringement as alleged herein, Defendants, and each of them, have obtained direct and indirect profits they would not otherwise have realized but for their infringement of the Subject Design. As such, Plaintiff is entitled to disgorgement of Defendants' profits directly and indirectly attributable to Defendants' infringement of the Subject Design, in an amount to be established at trial.

**PRAYER FOR RELIEF**

Wherefore, Plaintiff prays for judgment as follows:

**Against All Defendants**

1. **With Respect to Each Claim for Relief**

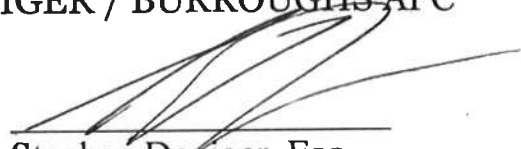
- a. That Defendants, their agents and employees be enjoined from infringing Plaintiff's copyrights in any manner, specifically those for the Subject Design;
- b. That Plaintiff be awarded all profits of Defendants plus all losses of Plaintiff, plus any other monetary advantage gained by the Defendants through their infringement, the exact sum to be proven at the time of trial, or, if elected before final judgment, statutory damages as available under the Copyright Act, 17 U.S.C. § 101 et seq.;
- c. That Plaintiff be awarded its attorneys' fees as available under the Copyright Act U.S.C. § 101 et seq.;
- d. That Plaintiff be awarded pre-judgment interest as allowed by law;
- e. That Plaintiff be awarded the costs of this action; and
- f. That Plaintiff be awarded such further legal and equitable relief as the g. Court deems proper.

A **TRIAL BY JURY** PURSUANT TO FED. R. CIV. P. 38 AND CONSTITUTIONAL AMENDMENT SEVEN IS HEREBY DEMANDED.

DONIGER / BURROUGHS APC

Dated: September 14, 2012

By:

  
Stephen Doniger, Esq.  
Attorneys for Plaintiff  
MERIDIAN TEXTILES, INC.,



Stephen M. Doniger, Esq. (SBN 179314)  
 Scott A. Burroughs, Esq. (SBN 235718)  
 DONIGER/BURROUGHS, APC  
 300 Corporate Pointe, Suite 355  
 Culver City, California 90230  
 Telephone: (310) 590-1820

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

MERIDIAN TEXTILES, INC., a California  
 Corporation,

PLAINTIFF(S)

v.

WAL-MART STORES, INC., a Delaware  
 Corporation; FASHION AVENUE KNITS, INC., a  
 New York Corporation; and DOES 1-10, Inclusive  
 DEFENDANT(S).

CASE NUMBER

**CV12-8005**

GW (S Hx)

**SUMMONS**

TO: DEFENDANT(S): \_\_\_\_\_

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Stephen M. Doniger, Esq., whose address is DONIGER / BURROUGHS APC 300 Corporate Pointe, Ste. 355 Culver City, CA 90230. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Dated: 9-17-12

Clerk, U.S. District Court

By: \_\_\_\_\_



CHRIS SAWYER  
 Deputy Clerk

11/10  
 (Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> ) MERIDIAN TEXTILES, INC., a California Corporation		<b>DEFENDANTS</b> WAL-MART STORES, INC., a Delaware Corporation; FASHION AVENUE KNITS, INC., a New York Corporation; and Does 1-10, Inclusive	
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number, If you are representing yourself, provide same.)  Stephen M. Doniger (SBN 179314)    300 Corporate Pointe, Suite 355 Scott A. Burroughs (SBN 235718)    Culver City, California 90230 DONIGER/BURROUGHS, APC    Tel: (310) 590-1820; Fax: (310) 417-3538		Attorneys (If Known)	

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:40%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> <td style="width:30%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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**IV. ORIGIN** (Place an X in one box only.)  
☒ 1 Original Proceeding   
 ☐ 2 Removed from State Court   
 ☐ 3 Remanded from Appellate Court   
 ☐ 4 Reinstated or Reopened   
 ☐ 5 Transferred from another district (specify): \_\_\_\_\_   
 ☐ 6 Multi-District Litigation   
 ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes    ☐ No (Check 'Yes' only if demanded in complaint.)  
**CLASS ACTION under F.R.C.P. 23:** ☐ Yes    ☒ No   
 **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Copyright Act of 1976, Title 17 U.S.C., § 101 et seq. - Action for misappropriation of Plaintiff's two-dimensional artwork used in the textile industry.

**VII. NATURE OF SUIT** (Place an X in one box only.)
 

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV12-8005

FOR OFFICE USE ONLY: Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
MERIDIAN TEXTILES, INC. - Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	WAL-MART STORES, INC. - Delaware FASHION AVENUE KNITS, INC. - New York

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note: In land condemnation cases, use the location of the tract of land involved.**

X. SIGNATURE OF ATTORNEY (OR PRO PER): \_\_\_\_\_ Date 9/14/2012

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge George H. Wu and the assigned discovery Magistrate Judge is Stephen J. Hillman.

The case number on all documents filed with the Court should read as follows:

**CV12- 8005 GW (SHx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☐ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.